

Nathan Ochsner, Clerk

The Parties were provided proper notice and the opportunity to object to the M&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). On June 4, 2024, Plaintiff filed three objections to Judge Bray’s M&R. (Dkt. No. 103). First, Plaintiff objects to Judge Bray’s conclusion that the First Amendment’s right of access can never apply outside of criminal trials. (*Id.* at 1–5). Second, Plaintiff objects to Judge Bray’s denial of Plaintiff’s motion for summary judgment as moot. (*Id.* at 5–6). Third, Plaintiff objects to Judge Bray’s failure

to address arguments on chief Freedom of Information Act officer standing. (*Id.* at 7–8). On June 18, 2024, Defendants filed a response to Plaintiff’s objections. (Dkt. No. 104).

In accordance with 28 U.S.C. § 636(b)(1)(C), the Court is required to “make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection [has been] made.” After conducting this de novo review, the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.*; *see also* Fed. R. Civ. P. 72(b)(3).

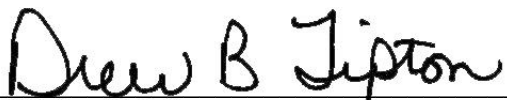
The Court has carefully considered de novo those portions of the M&R to which objection was made and reviewed proposed findings, conclusions, and recommendations for plain error. Finding no error, the Court accepts the M&R and adopts it as the opinion of the Court.

It is therefore ordered that: Judge Bray’s M&R (Dkt. No. 100) is **ACCEPTED** and **ADOPTED** in its entirety as the holding of the Court; and

- (1) Defendant’s Motion to Dismiss in Part, (Dkt. No. 83), is **GRANTED**; and
- (2) Plaintiff’s Cross-Motion for Summary Judgment on whether the U.S. Drug Enforcement Administration is an Agency under U.S.C. §§ 552(f) and (j), (Dkt. No. 86), is **DENIED**.

It is SO ORDERED.

Signed on August 16, 2024.

  
DREW B. TIPTON  
UNITED STATES DISTRICT JUDGE